

REMARKS

Claims 1-15 are pending in this application. Claims 1 and 10 are independent claims. By this Amendment, claims 1-3, 6, 8, 10 and 11 are amended and new claims 12-15 are added. No new matter is added.

Claim Objections

Claims 1, 10 and 11 are objected to because of informalities. Specifically, claims 1, 10 and 11 are objected to for recitation of “or the like” and/or “of the type” which allegedly renders the claims indefinite. As claims 1, 10 and 11 are amended to address the objection, withdrawal of the objection is respectfully requested.

Claim 8 is objected to for a lack of antecedent basis for the recitation of “the handle portion.” As claim 8 is amended to address the objection, withdrawal of the objection is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-5, 7 and 9-11 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,944,142 (“Sueshige”). This rejection is respectfully traversed.

Sueshige fails to disclose each and every feature recited in the rejected claims. For example, Sueshige fails to disclose a wheel-mounted lawnmower, ... wherein the lawnmower has a first unit which is provided with said cutting device and said motor, and a second unit which has at least two rotatable wheels for moving the lawnmower relative to a base, a wheel frame for arranging the wheels and for arranging said operating device on said wheel frame, wherein said first unit is suspended from said second unit by at least two insulators to reduce vibrations between said units, as recited in amended claim 1, or an insulator arranged to suspend said first unit from said second unit to reduce vibrations between said units, as recited in amended claim 10.

Sueshige relates to a fan which is positioned below the motor to draw cooling air over the motor to reduce heat buildup, as well as dust, dirt and grass clippings (column 1, lines 5-24). The lawnmower of Sueshige includes a body 10 and a handle 20. The body 10 includes a body structure 14 and a cover 68 which is fastened to the motor 22 by a fastener 70. A cutter cavity 12

houses a cutting blade 52. An air filter 78 is arranged between the cutter cavity 12 and the cover 68 (column 2, line 1 – column 3, line 59; Fig. 1).

It is alleged in the Office Action that the body 14 corresponds to the claimed “first unit” and that the fastener 70 corresponds to the “claimed frame.” Under this interpretation, it is alleged that Sueshige discloses a first unit (body 14) comprising a frame (fastener 70) for attaching the cutting device (blade) to the motor. However, the fastener 70 is not a frame but, rather, a fastener, such as a bolt, as clearly shown in Fig. 1 of Sueshige. Moreover, the fastener 70 does not attach the blade 52 to the motor. Rather, as described in Sueshige, the fastener 70 fastens the cover 68 to the body 10 and to the upper end of the motor 22 (column 3, lines 32-34). Accordingly, Sueshige does not disclose the features as alleged in the Office Action.

Moreover, Sueshige does not disclose that the first unit (body 14) is suspended from the second unit (cutter cavity 12) by at least two insulators to reduce vibrations between the units. For example, as shown in the exemplary embodiment at Fig. 2 of the present application, the at least two insulators 9 suspend the first unit 5 from said second unit 6 to reduce vibrations between the units. In contrast, Sueshige merely discloses a single air filter 78 between the cover 68 and the cutter cavity 12. As Sueshige fails to anticipate the rejected claims, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sueshige in view of U.S. Patent No. 4,825,548 (“Driggers”). This rejection is respectfully traversed.

Claim 6 is allowable for its dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein. Moreover, the combination of references, whether considered alone or in combination, fails to disclose or suggest all of the features recited in the rejected claim. For example, the combination of references fails to disclose a lawnmower in which the operating device in its longitudinal direction is divided into at least two pieces which are connected at least partially by a damping element to reduce vibrations from the second unit to a handle portion of the operating device.

It is alleged that Sueshige discloses all of the features of the rejected claim except for the operating device being divided into two pieces, as recited in rejected claim 6. Driggers is combined with Sueshige in an effort to overcome the admitted deficiency.

However, Driggers fails to relate to a lawnmower but, rather, relates to a flexible line trimmer, lawn edger or brush cutter. The alleged operating device 30 in Driggers is a vibration-damping control handle 30 connectable to a shaft portion 16 of the portable power tool (line trimmer). The handle has a hand grip 36 which includes an isolation section 40. Thus, not only is there no motivation to modify Sueshige with the teachings of Driggers because Driggers does not relate to a wheel-mounted lawnmower, but to do so would not disclose or suggest each and every feature recited in the rejected claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sueshige in view of U.S. Patent No. 4,422,283 ("Scanland"). This rejection is respectfully traversed.

Claim 8 is allowable for its dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein. Further, the combination of references, whether considered alone or in combination, fail to disclose or suggest a lawnmower in which the operating device is L-shaped with a first end having a handle portion and a second end connectable to the wheels of a lawnmower.

It is admitted in the Office Action that Sueshige fails to disclose the features of dependent claim 8 and relies on Scanland for allegedly overcoming the admitted deficiencies. Even were Scanland combined with Sueshige, the combination of references would not disclose all of the claimed features as Scanland fails to disclose or suggest a first unit suspended from the second unit by at least two insulators. Rather, in Scanland, the entire mower deck 10 is bolted directly to left and rear longitudinal frame members 30, 31. Accordingly, withdrawal of the rejection is respectfully requested.

New Claims

None of the applied references, whether considered alone or in combination, disclose or suggest the subject matter of new claims 12-15. For example, the combination of references fails to disclose or suggest a lawnmower wherein said wheel frame interconnects the wheels and said at least two insulators are between said wheel frame and said first unit, or a lawnmower wherein said at least two insulators are attached to said wheel frame. Further, the combination of references fails to disclose or suggest a lawnmower wherein said at least two insulators comprise an elastomeric material, or a lawnmower wherein said at least two insulators are springs.

CONCLUSION

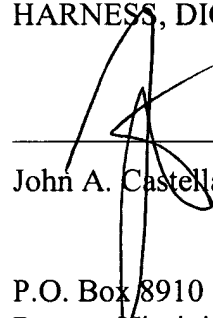
In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNES, DICKY, & PIERCE, P.L.C.

By



John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/JWF/mat